



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT

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January 5, 2017

VIA ELECTRONIC MAIL AND OVERNIGHT MAIL

Sara J. Clark, Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118-6500



RE: Petition of the State 911 Department for Approval of Fiscal Year 2017 Expenditures, Fiscal Year 2018 Development Grant Amount, Fiscal Year 2018 Incentive Grant Regional Emergency Communications Center Category Amount, and Fiscal Year 2018 Incentive Grant Regional PSAPs Serving Two Communities Amount

Dear Ms. Clark:

Pursuant to Massachusetts General Laws ("G.L.") chapter 6A, §§18B(i)(5) and 18H(c), the State 911 Department hereby submits this Petition of the State 911 Department for Approval of Fiscal Year 2017 Projected Expenditures, Fiscal Year 2018 Development Grant Amount, Fiscal Year 2018 Incentive Grant Regional Emergency Communications Center Category Amount, and Fiscal Year 2018 Incentive Grant Regional PSAPs Serving Two Communities Amount.

The State 911 Department offers the following in support of the Petition.¹

I. FISCAL YEAR 2017 EXPENDITURES

The Department is required to seek the approval of the DTC for projected total expenditures that exceed total expenditures of the previous fiscal year by ten (10) per cent or more. See G.L. chapter 6A, §18H(c), which provides in pertinent part, as follows:

¹ Pursuant to G.L. chapter 6A, § 18H(b), the State 911 Department is required to report annually to the DTC on the financial condition of the Enhanced 911 Fund and on the State 911 Department's assessment of the new developments affecting the enhanced 911 system. The State 911 Department respectfully requests that the DTC treat this petition as satisfying that requirement for FY 2016.

The department shall seek the approval of the department of telecommunications and cable for projected total expenditures that exceed total expenditures of the previous fiscal year by 10 per cent or more. The department of telecommunications and cable may investigate the reasonableness of the expenditures and shall conduct its review and issue a decision within 90 days from the date the department files its request for approval, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. The department of telecommunications and cable shall notify the department of its intent to investigate within 20 days of the date the department files its request for approval. The department's request for approval shall be deemed approved in the absence of the department of telecommunication and cable's notification to the department of its intent to investigate. If the department of telecommunication and cable notifies the department that it intends to investigate an expenditure, the department of telecommunications and cable may hire experts to assist in its investigation. The reasonable cost of the experts shall be charged to the Enhanced 911 Fund, but in no event shall such cost exceed \$200,000, which may be adjusted to reflect changes in the consumer price index.

PROJECTED EXPENDITURES

An itemized breakdown of the Department's projected expenditures for Fiscal Year 2017 is set forth in Exhibit A, along with the final expenditures for Fiscal Year 2016, attached hereto and made a part hereof.¹ The projected expenditures are described in more detail below.

As set forth in Exhibit A, the projected expenditures of the Department for Fiscal Year 2017 are \$178,907,992. This projected amount is more than ten (10) per cent greater than the actual expenditures of \$89,976,516 for Fiscal Year 2016. Accordingly, the Department requests DTC approval of Fiscal Year 2017 expenditures. The line items that account for the most significant variations from earlier projections are for Next Generation 911 non-recurring and recurring costs and Enhanced 911 support for maintenance of the existing enhanced 911 system. The existing enhanced 911 system will need to be maintained until the completion of the deployment of the Next Generation 911 system, and the deployment of the Next Generation 911 system will continue into Fiscal Year 2017. Development Grant funding awarded but not expended has been extended and rolled into Fiscal Year

2017. In addition, Support and Incentive Grant funding and Training/ EMD Grant funding for sums allocated but not yet reimbursed has been rolled into Fiscal Year 2017.

BACKGROUND AND OVERVIEW

Statutory Scheme

Chapter 223 of the Acts of 2008 ("the legislation") established the Department and requires that the Department coordinate and effect the implementation of enhanced 911 service and administer such service in the Commonwealth. *See* G.L. c. 6A, § 18B(d).

The stated purpose of the legislation is to further protect the public's safety by improving the Commonwealth's ability to coordinate and administer the enhanced 911 system and to ensure the most efficient and consistent approach for enhanced 911 service to all cities and towns throughout the Commonwealth.

The legislation also directs the Department to review and assess new communications technologies that may include, but are not limited to, wireless, video, broadband, and IP-enabled applications that may serve as the next generation 911 technology platforms, consistent with Federal Communications Commission decisions and federal law. *See* G.L. c. 6A, § 18B(h).²

In addition to directing the Department to administer the enhanced 911 system, the legislation directs the Department to develop, administer, and fund grant programs to assist PSAPs and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs, and RECCs³. The legislation also directs the Department to provide and maintain disability access programs and to provide public education services.

Enhanced 911 Surcharge

The legislation replaced the prior scheme of separate wireline and wireless enhanced 911 surcharges to create a single surcharge and fund with the surcharge to be assessed on wireline, wireless, and other users. The current single surcharge is set at one (1) dollar per month.

²The statutory definition of "Next generation 911" is "an enhanced 911 system that incorporates the handling of all 911 calls and messages, including those using IP-enabled services or other advanced communications technologies in the infrastructure of the 911 system itself." The statutory definition of "IP-enabled service" is "a service, device or application which makes use of Internet Protocol, or IP, and capable of entering the digits 911, or by other means as approved by the department, for the purposes of interconnecting users to the enhanced 911 system including, but not limited to, voice over IP and other services, devices, or applications provided through or using wireline, cable, wireless, or satellite facilities or any other facility that may be provided in the future." *See* G.L. c. 6A, § 18A.

³The statutory definitions of "public safety answering point," or "PSAP," "regional emergency communication center," or "RECC," "regional PSAP," "regional secondary PSAP," and "wireless state police PSAP" are set forth in G.L. c. 6A, § 18A.

The legislation provides that the surcharge shall be collected by the communication service provider and shall be shown on the subscriber's or end user's bill as "Disability Access/Enhanced 911 Service Surcharge," or an appropriate abbreviation. The subscriber or end user is liable for the surcharge, and the communication service provider is not financially liable for surcharges billed on behalf of the Commonwealth but not collected from subscribers or end users. *See* G.L. c. 6A, §18H (a).

On March 20, 2015, the Department petitioned the DTC for approval of the adjustment of the Enhanced 911 surcharge for each subscriber or end user whose communication services are capable of accessing and utilizing an enhanced 911 system to \$1.25 effective July 1, 2015, with a reduction to \$1.00 effective July 1, 2016, to provide for expenses associated with 911 services. By Final Order dated June 18, 2015, the DTC approved the Department's proposed adjustments to the Enhanced 911 surcharge.

ENHANCED 911 FUND

The legislation provides that the Department shall disburse funds from the Enhanced 911 Fund for prudently-incurred expenses associated with the following:

. . . the lease, purchase, upgrade or modification of primary and regional PSAP customer premises equipment and the maintenance of such equipment; network development, operation and maintenance; database development, operation, and maintenance; training of 911 telecommunicators regarding the receipt and use of enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service; grants associated with enhanced 911 service as set forth in subsection (i) and any other grant approved by the department associated with providing enhanced 911 service in the commonwealth; the recurring and nonrecurring costs of communication services providers in providing enhanced 911 service in the commonwealth to the extent required by federal or Massachusetts law or regulation or federal or Massachusetts agency decision or order; and other expenses incurred by the state 911 department in administering and operating the enhanced 911 system in the commonwealth. *See* G.L. c. 6A, § 18B(f).

Projected Revenues and Expenditures

The Department has projected revenues and expenditures for the Enhanced 911 Fund for Fiscal Year 2017.

Beginning Fund Balance

The beginning fund balance of the Enhanced 911 Fund is arrived at by carrying over the Enhanced 911 Fund balance from the prior fiscal year.

Projected Expenses

The following is a description of the budgeted categories of expenses for the Enhanced 911 Fund. These expenses are prudently incurred and are necessary to meet the legislation's directives.

Administration

Salary Costs

The Department's projected expenses include salaries and overhead costs for employees and contract employees. The projected salary costs are attributable to full time employee ("FTE") and contract positions. These positions are necessary to fulfill the Department's statutory obligations. The Department has projected salary expenses that reflect contractual step increases and cost of living adjustments negotiated by the National Association of Government Employees union and the Commonwealth.

Agency Expenses

The category of agency expenses includes employee reimbursements, administrative costs, operational supplies, lease obligations, operational services, equipment purchases, vehicle lease, maintenance and repair services, and IT services and equipment.

Capital Projects

The Department's projections include replacement of vehicles as advised by Operational Services Division's Office of Vehicle Management.

Programs

As described more fully below, the Department's programs consist of the Training Program, Public Education, and the Grant Programs.

Training Program

The legislation requires the Department to train enhanced 911 telecommunicators regarding the receipt and use of enhanced 911 service information. See G.L. c. 6, § 18B(f). Since the inception of the training program, the Department has engaged in an effort to offer a comprehensive training program that has expanded through the addition of many new approved courses, some of which are taught by outside vendors.

The legislation also directs the Department to establish, with the State 911 Commission's approval, certification requirements for enhanced 911 telecommunicators that include EMD and quality assurance of emergency medical dispatch programs.

Accordingly, effective July 1, 2012, the Department promulgated 560 CMR 5.00: State 911 Department Regulations Establishing Certification Requirements for Enhanced 911 Telecommunicators, Governing Emergency Medical Dispatch, and Establishing 911 Call Handling Procedures ("EMD regulations"). The EMD regulations impose certification requirements in order for a person to act as an enhanced 911 telecommunicator. These regulations require the successful completion of a minimum of two (2) days of 911 equipment and basic telecommunicator training offered by the Department and successful completion of a minimum of forty (40) hours of Department-approved basic telecommunicator training (or the equivalent). In order to maintain certification as an enhanced 911 telecommunicator, it is necessary to successfully complete thereafter a minimum of sixteen (16) hours of Department-approved continuing education annually (or the equivalent). In addition, the EMD regulations impose requirements for PSAPs to provide EMD services either through certified emergency medical dispatchers or by arranging for EMD to be provided through a certified EMD resource. The EMD regulations require that, in order to act as a certified emergency medical dispatcher for a PSAP, an individual shall: obtain and maintain certification as an enhanced 911 telecommunicator; obtain and maintain CPR certification; and obtain and maintain certification in EMD through an EMD certification organization approved by the Department. The EMD regulations require that, in order to act as a certified EMD resource, the entity shall submit a request for approval that shall include the EMD protocol and documentation that each emergency medical dispatcher is certified.

The training is managed by the PSAPs, and the courses vary. The Department maintains a listing of eligible courses that are supported by the Training Grant program, which supports approximately six thousand (6,000) enhanced 911 telecommunicators. The EMD Regulations require that all certified enhanced 911 telecommunicators complete sixteen (16) hours of continuing education annually. Further, the EMD regulations require newly hired enhanced 911 telecommunicators to complete a minimum of two (2) days of 911 equipment and basic training and to complete a minimum of forty (40) hours of Department-approved basic telecommunicator training, plus certification in EMD (at either twenty-four (24) hours or thirty-two (32) hours depending on the vendor) if providing EMD in-house and a four (4) hour cardiopulmonary resuscitation (CPR) course.

Public Education

The legislation provides for the education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service. The Department continues with its strong commitment to educating the public regarding enhanced 911 service throughout the Commonwealth. The Department continues to attend outreach events

across the Commonwealth, including furnishing literature and information about enhanced 911 service, TRS, and EDP, and conducting public service announcements, or PSAs.

Grant Programs

The legislation requires the Department to develop and administer grant programs to assist PSAPs and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs, and RECCs. *See* G.L. c. 6A, 18B(i). The legislation requires that the Department fund the following grant programs: the PSAP and Regional Emergency Communications Center Training Grant ("Training Grant"); the PSAP and Regional Emergency Communication Center Support Grant ("Support Grant"); the Regional PSAP and Regional Emergency Communication Center Incentive Grant ("Incentive Grant"); the Wireless State Police PSAP Grant; and the Regional and Regional Secondary PSAP and Regional Emergency Communications Center Development Grant ("Development Grant"). *See* G.L. c. 6A, § 18B(i)(1)-(5). The legislation also permits the Department to introduce new grants associated with providing enhanced 911 service in the Commonwealth. *See* G.L. c. 6A, § 18B(f). As discussed below, as permitted by the legislation, in 2011, the Department introduced a new grant, the Emergency Medical Dispatch ("EMD") Grant.⁴

The legislation provides that the State 911 Commission shall approve all formulas, percentages, guidelines, or other mechanisms used to distribute these grants. *See* G.L. c. 6A, § 18B(a). The eligibility requirements, purpose, use of funding, including categories of use of funds, application process, grant review and selection process, and grant reimbursement process for each of these grants are set forth in the Grant Guidelines that are approved by the State 911 Commission.

Training and EMD/Regulatory Compliance Grant

The Public Safety Answering Point and Regional Emergency Communication Center Training and EMD/Regulatory Compliance Grant ("Training and EMD/Regulatory Compliance Grant") reimburses primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to the training and certification of enhanced 911 telecommunicators. The EMD/Regulatory Compliance Grant provides funding, not provided under the Training Grant, for EMD services provided through a certified EMD resource and provides supplemental funding for expenses needed to meet the minimum training and certification requirements and minimum EMD requirements established by the Department.⁵

The Department's projections maintain a funding level for the Training Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and

⁴ The EMD Grant was approved by the DTC by Order dated May 27, 2011 in D.T.C. 11-2. The EMD Grant was renamed the EMD/Regulatory Compliance Grant in Fiscal Year 2014.

⁵ The statutory definition of "emergency medical dispatch," or EMD, is set forth in G.L. c. 6A, § 18A.

RECCs to meet the minimum training and certification requirements for enhanced 911 telecommunicators.

The Department's projections maintain a funding level for the EMD/Regulatory Compliance Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum requirements governing EMD.

Support and Incentive Grants

The Support and Incentive Grants provide funding to primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to enhanced 911 personnel and equipment costs. In addition to amounts allocated as part of the Support Grant, incentive funds are awarded to regional PSAPs and RECCs that serve multiple communities.

The Department's projections maintain a funding level for the Support Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for personnel, equipment, and other allowable expenses.

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. See G.L. c. 6A, §18B(i)(4). The legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP or RECC. See G.L. c. 6A, § 18B(i)(4).

The Department's projections maintain a funding levels for the Incentive Grant to provide additional funding for regional PSAPs and RECCs for personnel, equipment, and other allowable expenses, and to allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Wireless State Police PSAP Grant

Currently, 911 calls placed from wireless callers in the Commonwealth are routed to three (3) wireless state police PSAPs for directly dispatching emergency response services or transferring the calls to local PSAPs for local police, fire, and emergency medical services dispatch, or in some instances not transferred at all.

The Wireless State Police PSAP Grant reimburses wireless state police PSAPs for allowable expenses related to training, enhanced 911 personnel, and equipment costs. The Department's projections maintain a funding level for the Wireless State Police PSAP Grant to provide sufficient funding for allowable expenses.

Development Grant

The Development Grant supports the development and startup of regional PSAPs, regional secondary PSAPs, and RECCs, including the expansion or improvement of existing regional PSAPs and RECCs. Since the inception of the grant programs in Fiscal Year 2009, the Department has witnessed a significant interest in regionalization among the PSAPs and RECCs. Through the Development Grant, the Department has provided funding for a number of significant regionalization projects. The Department has received requests for funding and has awarded funding for construction and equipment for proposed regional PSAPs and RECC; feasibility studies, construction, and equipment for new proposed regional PSAPs and RECCs; and construction to expand and new equipment for proposed regional PSAPs and RECCs. The regional projects funded under this Grant are often complex and are completed over multiple fiscal years. The expenditures are recorded in the fiscal year in which they are incurred. Grants funded under the Development Grant, due to their complexity, often cross fiscal years. The Department's projections maintain the funding level for the Development Grant at \$8 million to provide sufficient funding for these important regionalization efforts. These projections also contain funding to support those projects awarded under a prior fiscal year grant program that have been extended through June 30, 2017. There are currently two hundred forty-four (244) PSAPs in the Commonwealth, with twenty (20) PSAPs that have become regionalized since the Development Grant program began. The Department expects that thirteen (13) additional PSAPs will regionalize over the next five (5) years.

Enhanced 911

Legacy Enhanced 911 System

The legacy enhanced 911 system is an analog-based system that was designed in the 1960s. The system has been successful in delivering 911 services for many years. However, the type of analog services that are imbedded in the existing system are becoming obsolete and are being discontinued throughout the country. Technological advancements have created the necessity for a more advanced system that will offer capabilities (such as text and video messaging) that simply do not exist using today's system. Throughout the nation, the enhanced 911 systems are being overhauled and replaced with new and emerging technologies. This need was recognized by the Legislature, and, therefore, in accordance with the legislation, it is necessary to replace the existing system with a system that uses advanced communications technologies in the infrastructure itself.

The Department does not have the option to continue to maintain the existing system or to simply upgrade the current equipment using the existing infrastructure. The Department does not consider refreshing or upgrading the existing legacy equipment as a long-term solution. Rather, it is the Department's goal to replace the current enhanced 911 system with a solution that adheres to national standards, maintains the capabilities and functions

of the existing system while offering capabilities that will support new services and tools, and offers the best value to the Commonwealth.

Next Generation 911 Project

In accordance with the legislation's directive, the Department has embarked upon a project to review and assess communications technologies that could serve as the basis for a new platform. In 2009, following a competitive procurement process, the Department retained outside consultants to assist with the effort to review and assess the technical, financial, and operational requirements and other matters that would facilitate the migration to a new system. The outside consultants were tasked with reviewing the existing customer premises equipment, or CPE, with the intent of migrating to an IP-based system; analyzing technical requirements; examining possible network facilities; investigating geographic information system, or GIS, requirements and capabilities; and developing system architecture and migration plans. The outside consultants were also charged with undertaking a financial analysis that included gathering pertinent information related to technology availability, funding parameters, and governance matters; gathering information on practices elsewhere in the United States related to ownership, funding, and governance; gathering data from the vendor community related to technology roll out timeframes and costs; and synthesizing this information so that the Department could assess the financial components of the migration to a new system.

Throughout 2009 and 2010, the Department, working in consultation with the outside consultants and representatives from other agencies, continued its analysis and assessment of the issues associated with the migration to a new system, including a review of evolving national standards. In 2009, the Department hosted a series of Next Generation 911 presentations at the Department's offices. In 2010, the State 911 Commission authorized the Department to form a Strategic Sourcing Team ("SST") for the purpose of conducting the solicitation for, and the procurement of, a Next Generation 911 system and associated matters.

In 2011, the National Emergency Number Association ("NENA") produced a number of Next Generation 911 Standards and other documents, recommendations, and policy briefs regarding the transition to Next Generation 911. In addition to the development of technical and operational standards, NENA engaged in proof of concept trials and demonstrations of the new technology. However, a standards-based Next Generation 911 system was not fully identifiable, and further clarification was necessary.

In 2012, the Department issued a Request for Information ("RFI") to assist the Department in identifying various solutions and gathering any information to help the Department assess the capabilities of a Next Generation 911 environment, including all aspects of network, database, geo-based routing, caller location information, applications and appliances, call taking solutions, CPE, support services, maintenance and monitoring, and any other functional element required to meet the acceptance, processing, and delivery of current and anticipated Next Generation 911 payloads. Respondents to the RFI provided the Department with information about their Next Generation 911 technologies and any alternative capabilities for IP-based call and payload handling.

Following the lengthy and exhaustive efforts set forth above, the Department sought to procure services through a competitive procurement conducted pursuant to *801 CMR 21.00: Procurement of Commodities and Services*.

As authorized by the State 911 Commission, the Department formed an SST for the purpose of conducting the solicitation for and the procurement of a Next Generation 911 system and associated matters. The SST was comprised of members of the Department, the State 911 Commission, and key stakeholders with the required skills and knowledge to assist in the development of a Request for Response ("RFR") and analysis of bid responses.

On October 4, 2013, the Department issued an RFR seeking to procure the services to design, equip, install, operate, monitor, maintain, train, and support a Next Generation 911 system throughout the Commonwealth in a turnkey fashion. The RFR provides that the acquisition method for the contract is fee for service. The contract duration is five (5) years, with one (1) option to renew for a period of five (5) years. Multiple responses were received.

The SST was assigned the task of analyzing the merits of the proposals submitted. The evaluation process consisted of a review of the written responses, references/financial stability statements, interviews/demonstrations, pricing, and a site visit from which the highest scoring bidder proposed to operate its help desk and network operations center. The SST provided all bidders with the opportunity to provide a Best and Final Offer ("BAFO").

The evaluation process concluded in July, 2014, and the Department selected a bidder who offers the overall best value to the Commonwealth. At a meeting held on August 4, 2014, the State 911 Commission authorized the Department to enter into a contract with the winning bidder, General Dynamics Information Technology ("GDIT"). Accordingly, a contract for Next Generation 911 products and services was executed with GDIT on August 4, 2014.

The deployment of the Next Generation 911 system began in Fiscal Year 2017 and will continue into Fiscal Year 2018.

Enhanced 911 Support

The Department has entered into a contract with Verizon to provide network, database, CPE, and maintenance services for the statewide enhanced 911 system serving the Commonwealth. The Department's projections maintain a funding level to allow for the maintenance of the existing enhanced 911 system until the conversion to the Next Generation 911 system is complete.

Map Data

Through an interdepartmental service agreement between the Department and the Commonwealth's Office of Geographic Information ("MassGIS"),⁶ MassGIS provides updated, synchronized mapping data and information to the Department for use by PSAPs. MassGIS has also dedicated resources to support the Department as it prepares for the implementation of Next Generation 911.

As part of ongoing maintenance, MassGIS will continue updating the street database by adding missing streets and correcting erroneous streets. This is part of the core component of the GIS data used in the current PSAP deployment as well as the base of the Next Generation 911 system. MassGIS has acquired aerial imagery used for verification of streets and structures as part of the maintenance effort. MassGIS will contract with an outside vendor to identify the roofline of every structure in the Commonwealth and provide an outline of every building. This is necessary to attach street addresses to structures. Parcel data creation will continue to be part of the workflow process necessary to prepare for the transition to Next Generation 911. This entails collecting digital and paper maps and incorporating individual parcel line work into the statewide data set. Once the parcel data has been incorporated, MassGIS will use that data to update emergency service zones that will ultimately be used to route 911 calls to the proper PSAP. The services in support of Next Generation 911 consist of updated, synchronized mapping data and information and maintenance for the database and aerial imagery, and updates to the emergency services zones. These services are critical to the base of the Next Generation 911 system and are new services that were not provided for use with the legacy enhanced 911 system. The Department contracts with a vendor to provide software support by furnishing base map data updates on a quarterly basis. The Department also contracts with a vendor to furnish MassGIS with emergency subscriber listings through an extract of the Automatic Location Information database.

Next Generation 911 Consultant

The Department has retained the services of an outside consultant to assist with the Next Generation 911 project. The Department estimates payments to a consultant to assist with the Next Generation 911 project for Fiscal Year 2017.

Next Generation 911 Recurring and Non-Recurring Costs

The Department has projected recurring and non-recurring costs for the Next Generation 911 system based on the contract executed on August 4, 2014.

⁶ MassGIS is within the Information Technology Division of the Administration and Finance Secretariat.

Interpretive Services

Interpretive services, through a third party vendor, continue to be provided to PSAPs throughout the Commonwealth and for the EDP pursuant to a statewide contract with a contractor.

Mobile PSAP

The State 911 Department owns, operates, controls, and maintains a mobile PSAP. The mobile PSAP is a vehicle outfitted with six (6) 911 answering positions, one (1) administrative workstation, ten (10) administrative telephones, seven (7) Telular terminals all connected to the CPE. It is housed in a 2010 Kenworth vehicle. The mobile PSAP is available 24 x 7 to respond to and temporarily replace and assist PSAPs that are rendered non-operational due to structural failure, equipment failure, infrastructure failure, or other emergency and/or pre-planned events. The mobile PSAP is deployed for training, public education, PSAP conversions and build outs, the Boston Marathon, and as an emergency backup PSAP. The State 911 Department also expects to utilize the mobile PSAP in connection with the transition to Next Generation 911. The Department has included projected expenses of maintenance and monitoring and overall support for the mobile PSAP.

Disability Access Program

The legislation transferred to the Department the responsibility for administration and oversight of disability access programs. The legislation directs the Department to provide and maintain a Specialized Customer Premises Equipment, or SCPE, Distribution Service.⁷ This program makes specialized devices that provide access to telephone networks for people with hearing, speech, vision, mobility or cognitive disability. The legislation also directs the Department to administer telecommunication relay service,⁸ or TRS, and captioned telephone relay service, or CTRS, throughout the Commonwealth.⁹ The Department has entered into contracts with various equipment vendors to provide the SCPE to persons with disabilities. Further, the Department executes contracts with the Commission for the Deaf and Hard of Hearing and other entities to support this program. In addition, the Department has procured the services of a contractor to provide both TRS and CTRS throughout the Commonwealth. The Department's projections maintain current funding levels for these services.

⁷ The statutory definition of "SCPE" is set forth in G.L. c. 155, § 15E.

⁸ The statutory definition of "telecommunications relay service" or "TRS" is set forth in G.L. c. 155, § 15E.

⁹ The statutory definition of "captioned telephone service" is set forth in is set forth in G.L. c. 155, § 15E.

II. FISCAL YEAR 2018 DEVELOPMENT GRANT AMOUNT

The legislation requires that a regional and regional secondary PSAP and regional emergency communication center development grant ("Development Grant") shall provide regional PSAPs and RECCs with funds to support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers. *See* G.L. c. 6A, §18B(i)(5). The Department seeks to increase the level of funding from \$8 million to \$12 million for the Fiscal Year 2018 Development Grant.

With respect to the Development Grant, the legislation provides as follows:

The regional and regional secondary PSAP and regional emergency communication center development grant shall support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers, including the expansion or upgrade of existing regional and regional secondary PSAPs, to maximize effective emergency 911 and dispatch services as well as regional interoperability. The eligibility for criteria, amount and allocation of funding shall be contained in guidelines established by the department, with commission approval. The grant shall reimburse allowable expenses related to such development and startup, or expansion or upgrade. Any subsequent adjustments that increase the initial funding allocated to this grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within 90 days. *See* G.L. c. 6A, §18B(i)(5).

The initial Development Grant allocation amount that was established in Fiscal Year 2009 by the Department, with State 911 Commission approval, was \$7.5 million.

Consistent with the legislative intent and the goal of improving public safety and increasing regionalization of government services, the Development Grant is used to establish regional PSAPs and RECCs. Regionalized PSAPs and RECCs not only create more efficient and effective use of government resources, but also they improve public safety for the residents they serve. Combining emergency communication resources through regionalized PSAP/communication centers allows for increased staffing, thereby affording 911 telecommunicators the ability to more effectively interact with the public while gathering essential call information and providing potentially life-saving instructions and to adequately respond to larger or multiple simultaneous incidents. Regional communication centers allow for increased coordination of a region's limited

emergency response resources, including specialized fire, police and EMS vehicles and personnel, and leads to more efficient response to both routine requests for mutual aid and major disasters.

As set forth in Exhibit B attached hereto and made a part hereof, since the inception of the Development Grant, the Department has awarded a total of \$74,864,816 to this program. Each grant cycle the Department has received requests for funding that total well in excess of the amount allocated to the grant. In Fiscal Year 2017, the Department received grant requests totaling \$17.8 million.

Given the past interest shown in the Development Grant, the number of multi-year projects, and other regional projects on the horizon, and as a means of providing further incentives to encourage existing regional centers to add to their ranks, the \$12 million amount will allow the State 911 Department to fund projects more fully than it has in the past several fiscal years.

The legislation (G.L. 6A, §18B(b)) provides that the State 911 Commission "shall review and approve by a majority vote of those members present all formulas, percentages, guidelines or other mechanisms used to distribute the grants described in section 18B, and all major contracts that the [D]epartment proposes to enter into for enhanced 911 service." At its meeting held on December 19, 2016, the State 911 Commission unanimously voted to authorize the State 911 Department to seek DTC approval of the \$12 million amount.

III. FISCAL YEAR 2018 INCENTIVE GRANT REGIONAL EMERGENCY COMMUNICATIONS CENTER CATEGORY AMOUNT

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. *See* G.L. c. 6A, §18B(i)(4). With respect to regional PSAPs, the legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP. *See* G.L. c. 6A, § 18B(i)(4). In the case of RECCs, the legislation specifies that RECCs shall receive 2 per cent of the surcharge revenues of the previous fiscal year. The legislation permits the Commission to adjust the percentages to ensure a proper allocation of funds as more regional PSAPs and RECCs are added. *See* G.L. c. 6A, § 18B(i)(4.)

With respect to the Incentive Grant, the legislation provides as follows:

The regional PSAP and regional emergency communication center incentive grant shall provide regional PSAPs and regional emergency communication centers with funds in addition to amounts allocated as part of the PSAP and regional emergency communication center support grant to be used for reimbursement

of allowable expenses as specified in the support grant for regional PSAPs and regional emergency communication centers in the following amounts: (i) for regional PSAPs serving 2 municipalities, $\frac{1}{2}$ of 1 per cent of the total surcharge revenues of the previous fiscal year; (ii) for regional PSAPs serving 3 to 9 municipalities, 1 per cent of the total surcharge revenues of the previous fiscal year; (iii) for regional PSAPs serving 10 or more municipalities, $1\frac{1}{2}$ per cent of the total surcharge revenues of the previous fiscal year; and (iv) **for regional emergency communication centers, 2 per cent of the total surcharge revenues of the previous fiscal year. The percentages in clauses (i) to (iv), inclusive, may be adjusted by the commission to ensure a proper allocation of incentive funds as more regional PSAPs and regional emergency communication centers are added. Any such adjustments that increase the initial total allocation of the incentive grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department.** The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. (emphasis added). *See* G.L. c. 6A, § 18B(i)(4).

By Order dated June 18, 2015, the DTC approved the increase of the Incentive Grant RECC percentage from two (2) per cent of surcharge revenues of the previous fiscal year to 4.7 per cent of the total surcharge revenues of the previous fiscal year.

This Department seeks approval to increase the Fiscal Year 2018 Incentive Grant RECC category percentage from 4.7 per cent of surcharge revenues of the previous fiscal year to up to seven (7) per cent of the total surcharge revenues of the previous fiscal year.

The legislation contemplates that the specified percentages may be adjusted to ensure a proper allocation of incentive funds as more regional PSAPs and RECCs are added. This percentage adjustment requested in this Petition is intended to ensure a proper allocation of incentive funds due to the addition of regional PSAPs and RECCs.

Subsequent to the DTC's approval of the increase of the Incentive Grant RECC percentage, the the Department has witnessed a continued significant interest in regionalization among the PSAPs and RECCs. Through the Development Grant, the Department has provided funding for a number of significant regionalization projects. The Department has received requests for funding and has awarded funding for construction and equipment for proposed regional PSAPs and RECC; construction, and

equipment for new proposed regional PSAPs and RECCs; and construction to expand and new equipment for proposed regional PSAPs and RECCs.

The percentage adjustment is necessary to ensure a proper allocation in recognition of the addition of new regionalization projects and to maintain existing RECCs at their recognized level of funding.

The Department believes that this adjustment will allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Accordingly, the Department requests that the DTC approve an Incentive Grant funding level of seven (7) per cent for the RECC category of the Incentive Grant beginning in Fiscal Year 2018.

IV. FISCAL YEAR 2018 INCENTIVE GRANT REGIONAL PSAPS SERVING TWO COMMUNITIES CATEGORY AMOUNT

As noted above, the legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. *See* G.L. c. 6A, §18B(i)((4). With respect to regional PSAPs, the legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP. *See* G.L. c. 6A, § 18B(i)(4). The legislation permits the Commission to adjust the percentages to ensure a proper allocation of funds as more regional PSAPs are added. *See* G.L. c. 6A, § 18B(i)(4).

The legislation provides as follows:

The regional PSAP and regional emergency communication center incentive grant shall provide regional PSAPs and regional emergency communication centers with funds in addition to amounts allocated as part of the PSAP and regional emergency communication center support grant to be used for reimbursement of allowable expenses as specified in the support grant for regional PSAPs and regional emergency communication centers in the following amounts: **(i) for regional PSAPs serving 2 municipalities, ½ of 1 per cent of the total surcharge revenues of the previous fiscal year;** (ii) for regional PSAPs serving 3 to 9 municipalities, 1 per cent of the total surcharge revenues of the previous fiscal year; (iii) for regional PSAPs serving 10 or more municipalities, 1½ per cent of the total surcharge revenues of the previous fiscal year; and (iv) for regional emergency

communication centers, 2 per cent of the total surcharge revenues of the previous fiscal year. The percentages in clauses (i) to (iv), inclusive, may be adjusted by the commission to ensure a proper allocation of incentive funds as more regional PSAPs and regional emergency communication centers are added. Any such adjustments that increase the initial total allocation of the incentive grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. (emphasis added). *See* G.L. c. 6A, § 18B(i)(4).

This Department seeks approval to increase the Fiscal Year 2018 Incentive Grant Regional PSAP Serving Two Communities Category percentage from $\frac{1}{2}$ of 1 per cent of surcharge revenues of the previous fiscal year to up to .75 per cent of the total surcharge revenues of the previous fiscal year.

The legislation contemplates that the specified percentages may be adjusted to ensure a proper allocation of incentive funds as more regional PSAPs and RECCs are added. This percentage adjustment requested in this Petition is intended to ensure a proper allocation of incentive funds due to the addition of regional PSAP and RECCs.

The percentage adjustment is necessary to ensure a proper allocation in recognition of the addition of the new regionalization projects and to maintain existing regional PSAPs at their recognized level of funding.

The Department believes that this adjustment will allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Accordingly, the Department requests that the DTC approve an Incentive Grant Regional PSAP Serving Two Communities Category funding level of .75% per cent for the RECC category of the Incentive Grant beginning in Fiscal Year 2018.

CONCLUSION

All of the projected expenditures are prudently incurred expenses designed to fulfill the Department's statutory responsibility to coordinate and effect the implementation of enhanced 911 service, to administer such service in the Commonwealth, and to administer and support the disability access programs in the Commonwealth.

Accordingly, the State 911 Department requests the DTC to approve the Fiscal Year 2017 expenditures, Fiscal Year 2018 Development Grant amount, Fiscal Year 2018 Incentive Grant Regional Emergency Communications Center Category Amount, and Fiscal Year 2018 Incentive Grant Regional PSAPs Serving Two Communities Amount.¹⁰

Thank you for your attention to this matter, and please feel free to contact me for further information.

Sincerely,



Frank Pozniak
Executive Director

cc (w/encs.): Karen Charles Peterson, Commissioner, DTC
Sandra Merrick, General Counsel, DTC
Lindsay DeRoche, Director, Competition Bureau, DTC
Donald Boecke, Office of the Attorney General
Normand Fournier II, Deputy Director, State 911 Department
Karen Robitaille, Fiscal Director, State 911 Department
Louise McCarthy, General Counsel, State 911 Department

¹⁰ Exhibit C attached hereto and made a part hereof contains a forecast for FY 2018 and FY 2019.